

UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 03-7661

LARRY DOTSON,

Petitioner - Appellant,

versus

LARRY W. JARVIS; JERRY KILGORE; SUPREME COURT
OF VIRGINIA; STEPHEN R. MCCULLOUGH; VIRGINIA
COURT OF APPEALS; SHEILA TOLLIVER, Buchanan
County Commonwealth's Attorney; UNITED STATES
GOVERNMENT; EDWARD A. MATNEY; THOMAS W.
GOODMAN, JR.,

Respondents - Appellees.

Appeal from the United States District Court for the Western
District of Virginia, at Roanoke. Jackson L. Kiser, Senior
District Judge. (CA-02-6-7)

Submitted: July 21, 2004

Decided: August 9, 2004

Before WILLIAMS, MOTZ, and KING, Circuit Judges.

Dismissed by unpublished per curiam opinion.

Frederick Wayne Adkins, Hugh Patrick Cline, Jr., CLINE, ADKINS &
CLINE, Norton, Virginia, for Appellant. Stephen R. McCullough,
Assistant Attorney General, Richmond, Virginia, for Appellees.

Unpublished opinions are not binding precedent in this circuit.
See Local Rule 36(c).

PER CURIAM:

Larry Dotson seeks to appeal the district court's orders denying relief on his petition filed under 28 U.S.C. § 2254 (2000), and denying his motion to alter or amend the judgment. An appeal may not be taken from the final order in a habeas corpus proceeding unless a circuit justice or judge issues a certificate of appealability. 28 U.S.C. § 2253(c)(1) (2000). A certificate of appealability will not issue absent "a substantial showing of the denial of a constitutional right." 28 U.S.C. § 2253(c)(2) (2000). A prisoner satisfies this standard by demonstrating that reasonable jurists would find that his constitutional claims are debatable and that any dispositive procedural rulings by the district court are also debatable or wrong. See Miller-El v. Cockrell, 537 U.S. 322, 336 (2003); Slack v. McDaniel, 529 U.S. 473, 484 (2000); Rose v. Lee, 252 F.3d 676, 683 (4th Cir. 2001). We have independently reviewed the record and conclude that Dotson has not made the requisite showing. Accordingly, we deny a certificate of appealability and dismiss the appeal. We deny Dotson's motion to transfer an additional supplement to the record because the supplement he seeks, trial exhibit eleven, is part of the existing record. We also deny Dotson's motion for a pre-hearing conference and his motion to file a pro se supplemental brief. We dispense with oral argument because the facts and legal contentions are

adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED